

DATE OUT: 9/17/2012

SUBJECT: **PRODUCT CHEMISTRY REVIEW OF: TGAI []; MUP []; EUP [X]**

BARCODE NO.: 404054

REG./FILE SYMBOL NO.: 363-48

PRODUCT NAME: P-2 Creosote/Petroleum Solution

MRID NOS: 447842-03, 447842-04, 447842-14, 447842-15, 447842-18, 447842-19, 447842-29, 447842-30, 448022-03, 448022-04, 448022-14, 448022-15, 453556-01, 453556-02, 453560-01, 453560-02, and 477806-01

COMPANY NAME: Coopers Creek Chemical Corporation ACTION CODE: 676

FROM: Sergey Alekseyev, Chemist
Product Chemistry Team
Risk Management and Implementation Branch V
Pesticide Re-evaluation Division (7508P)



TO: Khue Nguyen, CRM
Risk Management and Implementation Branch I
Pesticide Re-evaluation Division (7508P)

INTRODUCTION:

A Reregistration Eligibility Decision (RED), Case No. 0139, was issued on 09/25/2008 for the Active Ingredient Coal Tar Creosote. According to the RED, the generic database supporting the reregistration of Coal Tar Creosote for currently registered uses has been reviewed and found to be substantially complete.

In the 8-month response to the Coal Tar Creosote RED, Coopers Creek Chemical Corporation provided EPA Form 8570-35 (Data Matrix), dated 06/22/2012; EPA Form 8570-4 (Confidential Statement of Formula), a basic formulation, dated 12/13/2011; a draft label, punch date 05/22/2012; a waiver request, dated 05/21/2012, and MRID Nos. 447842-03, 447842-04, 447842-14, 447842-15, 447842-18, 447842-19, 447842-29, 447842-30, 448022-03, 448022-04, 448022-14, 448022-15, 453556-01, 453556-02, 453560-01, 453560-02, and 477806-01. The registrant is requesting reregistration of the product, P-2 Creosote/Petroleum Solution, EPA Reg. No. **363-48**.

FINDINGS:

1. EPA Reg. No. **363-48** is an end-use product containing the active ingredient Coal Tar Creosote, with a label claim nominal concentration of 75.0%, and other ingredients content of 25.0%. The product is for pressure treatment of wood. The product is produced by an integrated system.
2. The CSF for the basic formulation is not acceptable. The nominal concentration of the active ingredient agrees with that on the label, meeting PR Notice 91-2. However, the certified limits for the active ingredient and the inert ingredient disagree with 40 CFR §158.350 without any explanation or reasoning. Additionally, values of Density and Flash Point placed in cells 7 and 9, respectively, have not been supported by any MRID. Further, the inert ingredient [REDACTED] has not been cleared for use in pesticide formulations. Additionally, the CSF includes several suppliers for both ingredients. The registrant must either issue an alternative CSF including all suppliers exempting one mentioned in the basic CSF, or issue an attachment to the basic CSF wherein all suppliers are listed, see http://www.epa.gov/opprd001/registrationmanual/csf_memo_eps_mups.pdf.
3. Except for Finding 4, data reported for MRID No. 477806-01, 447842-03, 447842-04, 447842-14, 447842-15, 447842-18, 447842-19, 447842-29, and 447842-30 do not satisfy the product chemistry data

THIS REVIEW CONTAINS FIFRA CBI

Inert ingredient information may be entitled to confidential treatment

requirements under Subgroups A and B which pertain to Product Identity and Composition, and Physical and Chemical Properties, respectively.

4. a) MRID Nos. 448022-03, 448022-04, 448022-14, 448022-15, 453556-01, 453556-02, 453560-01, and 453560-02 pertain to the product North American CTM Creosote P2. MRID No. 477806-01 pertains to the product C-4 Brand Black Creosote Coal Tar Solution (Reg. No. 363-14). MRID Nos. 447842-03, 447842-04, 447842-14, 447842-15, 447842-18, 447842-19, 447842-29, 447842-30, 448022-03, 448022-04, 448022-14, 448022-15 pertain to the product North American CTM Creosote P1/P13. Said products are essentially different from the subject product since they do not contain the inert ingredients [REDACTED]. Said MRIDs are not acceptable to support reregistration of the subject product. Product specific data must be submitted.

b) Storage Stability study may be waived since upon an agreement between EPA and the Creosote Council II, an enforcement analytical method is not required for various creosote products. Therefore Guideline 830.6317 has been satisfied. Abovementioned MRIDs do not contain data pertinent to Description of Materials Used to Produce the Product, Discussion of Formulation Process, Discussion of Formation of Impurities, Color, Physical State, Odor, Flammability, Corrosion Characteristics, Viscosity, and Density. Therefore Guidelines 830.1600, 830.1650, 830.1670, 830.6302, 830.6303, 830.6304, 830.6320, 830.7100, and 830.7300 have not been satisfied.

Note: an accelerated Corrosion Characteristics study may be carried out after 2 weeks at 40-54 °C. If any signs of corrosion attack upon containers are found, the same study must be carried out after 1 year at room temperature.

5. The Ingredients Statement on the draft label is acceptable as per CFR §156.10(g) and PR Notices 91-2, 97-5, and 97-6. There are no data present that would trigger the Physical or Chemical Hazards statements. The Storage and Disposal Statements are acceptable in accordance with CFR §156.10(i)(2)(ix) and PR Notice 83-3.

Note to PM: Storage and Stability section should be placed into a box. Said section should include Container Handling statements. PRD defers these issues to RD.

CONCLUSIONS:

The registrant will satisfy the product chemistry requirements for the reregistration of EPA Reg. No. 363-48 after submission of a corrected CSF (see Finding 2) and data pertinent to Description of Materials Used to Produce the Product, Discussion of Formulation Process, Discussion of Formation of Impurities, Color, Physical State, Odor, Corrosion Characteristics, Viscosity, and Density studies (see Finding 4).

Inert ingredient information may be entitled to confidential treatment

~~THIS REVIEW CONTAINS FIFRA CBI~~

Product Chemistry Data**Subgroup A: Series 830.1550 - 830.1800 (40 CFR 158.155 - 158.180)**

GUIDELINE REFERENCE NO. (GRN)/ TITLE 830	40 CFR §	MRID Number	Data Fulfilled
.1550 Product Identity and Composition	158.320	CSF	Y
.1600 Description of Materials Used to Produce the Product	158.325		G
.1620 Description of Production Process	158.330		N/A
.1650 Discussion of Formulation Process	158.165		G
.1670 Discussion of Formation of Impurities	158.167		G
.1700 Preliminary Analysis	158.345		N/A
.1750 Certified Limits	158.350	CSF	N
.1800 Enforcement Analytical Method	158.355	Based on an agreement between EPA and the Creosote Council II, an enforcement analytical method is not required for various creosote products.	W

Subgroup B: Series 830.6302 - 7950 (40 CFR 158.190)

Guideline Reference No. (GRN) / Title 830	Value or Qualitative Description	MRID Number	Data Fulfilled
.6302 Color			G
.6303 Physical State			G
.6304 Odor			G
.6313 Stability	The product is not TGAI/MP	Data Matrix	W
.6314 Oxidation/Reduction Chemical Incompatibility	The product does not contain oxidizer/reducer	Data Matrix	W
.6315 Flammability/Flame Extension	The product does not contain flammable liquids	Memo	W
.6316 Explodability	The product does not contain explosives	Data Matrix	W
.6317 Storage Stability	See Finding 4		W
.6319 Miscibility	The product is not intended to be mixed with petroleum solvents	Data Matrix	W
.6320 Corrosion Characteristics			G
.6321 Dielectric Breakdown Voltage	The product is not intended to be used around electrical equipment	Data Matrix	W
.7000 pH	The product is not dispersible in water	Data Matrix	W
.7050 UV/ Visible Light Absorption	Not applicable. The product is not TGAI/MP.		N/A
.7100 Viscosity			G
.7200 Melting Point	Not applicable. The product is not TGAI/MP.		N/A
.7220 Boiling Point	Not applicable. The product is not TGAI/MP.		N/A
.7300 Density/Bulk Density			G
.7370 Dissociation Constant in Water	Not applicable. The product is not TGAI/MP.		N/A
.7550 Octanol/ Water Partition Coefficient	Not applicable. The product is not TGAI/MP.		N/A
.7840 Solubility to Water and Organic Solvents	Not applicable. The product is not TGAI/MP.		N/A
.7950 Vapor Pressure	Not applicable. The product is not TGAI/MP.		N/A

Explanations: Y = Requirement fulfilled; N = Requirement not fulfilled; N/A = Not applicable; G = Data gap; U = Upgradeable; I = Incomplete or in progress; W = Waived

